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PTO/SB/64/PCT (12-04)

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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number
(Optional)
38187-2783

First Named Inventor: Dominique M. Freeman

International (PCT) Application No.: PCT/US2003/040095

U.S. Application No.:
(if known)

Filed: December 15, 2003

Title: METHOD AND APPARATUS FOR MEASURING ANALYTES

Express Mail No. EL 993 634 802 US

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity - fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ (37 CFR 1.17(m))

2. Proper reply

07/12/2005 SNAJARRD 00000075 081641 10540912

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A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
a transmittal letter re a submission under 35 USC 371 (identify type of reply):

☐ has been filed previously on

☒ is enclosed herewith.

RECEIVED

23 NOV 2005

Legal Staff
International Division

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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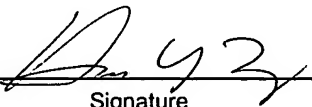
3. Terminal disclaimer with disclaimer fee

☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

 _____ Signature Hao Y. Tung _____ Typed or Printed Name Heller Ehrman LLP _____ Address 275 Middlefield Road Menlo Park, CA 94025-3506 _____ Address	June 27, 2005 _____ Date 43,209 _____ Registration Number, if applicable (650) 324-7000 _____ Telephone Number
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Enclosures: ☒ Response
☒ Fee Payment*** (see authorization statement below)
☐ Terminal Disclaimer
☒ Other (please identify): return postcard

***The Commissioner is authorized to charge Deposit Account No. 08-1641 in the amount of \$750 to cover the petition fee. The Commissioner is also authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1641. A duplicate copy of this sheet is enclosed.